HONOURABLE SRI JUSTICE D.APPARAO

On Tuesday, the thirtieth day of May,

two thousand and six .

W.P.No.10424 of 2006

D.Maisaiah

.....Petitioner.

And:

The Central Power Distribution Company

of A.P., Limited, represented by its

Chairman/Managing Director, Somajiguda,

Hyderabad and others.

.....Respondents.

HONOURABLE SRI JUSTICE D.APPARAO

W.P.No.10424 of 2006

O R D E R:

The petitioner is the owner of the house bearing H.No.1-57 of Gachibowli village, Serilingampally Mandal, Rangareddy District and he seeks Writ of

Mandamus, to declare the action of the respondents in not sanctioning the electricity connection to his premises, as illegal and arbitrary.

2) According to the petitioner, he had constructed a small house at Gachibowli village and subsequently the concerned authorities have allotted H.No.1-57 for the said house. The petitioner submitted applications for electric supply connection and paid requisite fee enclosing necessary documents to show that he has been paying house tax for the said house.

3) The learned Standing Counsel for the Respondents contended that unless the documents showing the title are filed along with the application, the respondents may not be able to grant power supply. He submits that by virtue of Section 43 and Regulation-3 of 2004 of the Electricity Act, 2003, the supply of power is regulated. The distribution licences shall be given on an application of the owner or occupier of the premises. He further contended that since the petitioner did not furnish the documents showing that he is either the owner or occupier of the premises, the supply was not granted.

4) The very application filed by the petitioner shows that he enclosed the house tax receipts. In that view of the matter it cannot be said that he is neither the owner nor the occupier of the premises. He is very much residing in the house. In the circumstances, the respondents are directed to consider the application within 15 days of receipt of this order and if all formalities are complied with, it has to sanction the electricity connection.

The writ petition is disposed of with the above directions. No costs.

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JUSTICE D. APPARAO

30th May 2006

BCS